IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.5264 OF 2006
AND
CIVIL APPLICATION NO.5265 OF 2006

IN

FIRST APPEAL (L) NO.21503 OF 2006

The New India Assurance Co. Ltd. ...Applicant
V/s.
Sundarabai Sukhdeo Sope & Ors. ...Respondents

Mr.S.S. Vidhyarthi h/f. Mr.S.M. Vidyarthi, Advocates, for the Applicant.
Mr.P.M. Khankar, Advocate, for Respondent Nos.1 and 2.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 20TH JUNE, 2007.

P.C. :

1. Heard.

2. The learned Counsel for the Appellant submits that service upon Respondent No.3 may be dispensed with. In so far the prayer for condonation of delay is concerned, for the reasons stated in the Civil Application, delay is condoned subject to payment of costs of Rs.1,000/- to be paid to the Respondent Nos.1 and 2 by depositing the same in this Court.

3. The Appellant has already deposited the award of compensation before the Tribunal. The Tribunal is

directed to invest the said amount in the post office monthly income scheme initially for a term of seven years with a direction that principal amount shall not be withdrawn without prior permission from High Court. The Respondents-claimants would be entitled to withdraw the interest amount quarterly. The amount of Rs.25,000/- deposited in this Court is also directed to be invested accordingly. It should be invested in the post office nearest to the ordinary residence of the Claimants.

4. Registry to take appropriate steps to remit the amount of Rs.25,000/- to the Tribunal. The amount be deposited within a period of four weeks from today.

5. Civil Applications stand disposed of accordingly.

[J.N. PATEL, J.]

[A.A. SAYED, J.]